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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,033	02/19/2004	Arthur Wong	9165	4266

27752 7590 08/21/2006

THE PROCTER & GAMBLE COMPANY
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EXAMINER

LONEY, DONALD J

ART UNIT	PAPER NUMBER
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1772

DATE MAILED: 08/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/782,033	WONG ET AL.	
	Examiner	Art Unit	
	Donald Loney	1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 27-37 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification fails to provide support for the perimeter portion and center portion wherein one portion has pillow members and the other does not per claim 27. The applicant refers to page 20, line 17 through page 21, line 15, which references figures 23-26, as providing support therefore. However, this section of the specification, and the figures, disclose a middle portion as having, or not having, pillow members. This is not the same as the recited center and perimeter portions. This is especially true for claim 29 which recites the perimeter portion is free of pillow members. In both figures 23 and 24 at least some of the perimeter portion contains pillow members. In figure 23 the left center portion and right center portion of the perimeter of the sheet contain pillow members 150. In figure 24 the top and bottom perimeter portion contain pillow members. The examiner will give the recitations in the claims their broadest reasonable interpretation in applying art thereto. That is that "perimeter portion" can be any portion of the perimeter, however so small, since the

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word "portion" is recited and no amount thereof is positively recited. The same applies to the "center portion".

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 27-32, 36, 37, 38-40, 44 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al (2001/0029966) as presented in the last office action, mailed March 8, 2006.

Wong et al discloses a nonwoven cleaning sheet, paragraph [0011]. Wong et al does fail to specifically disclose the void volume under pressure recited by applicant (i.e. it is silent thereto). Wong et al discloses a higher void volume versus the prior art in order to provide more surface area in order to trap particles, paragraph [0061] and [0062], which increases cleaning efficiency. This is also the applicant's intent over the prior art as discussed on page 3, lines 21-35 of the specification. With respect to limitations of the perimeter and center portions, one of which contains pillows members and the other not containing pillow members Wong et al shows, however so small, as discussed how it would be interpreted above in the 112 rejection, a perimeter portion in the upper left hand corner not having pillow members per claims 27 and 29. A center portion is shown, however so small, in figures 9 and 10, as discussed how it would be interpreted above in the 112 rejection, looking at any section in the center of the sheet not containing pillows.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to Wong et al to form a cleaning sheet with the recited void volume under pressure motivated by the fact the more void volume the better at cleaning the sheet is. Wong et al specifically teaches to increase the void volume over the prior art for this purpose. This is also the applicant's intent over the prior art as

discussed on page 3, lines 21-35 of the specification. The handle and cleaning of the hard surface (per claims 36, 37, 44 and 45) are disclosed in claims 31-39.

7. Claims 27-35 and 38-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Zilg et al (5725927) or EP 0032793 to Marsan et al as presented in the last office action, mailed March 8, 2006.

Both references disclose a nonwoven cleaning sheet. Both references disclose pillow shaped members formed on the surface of the sheet. The pillows in Zilg et al are 4-50mm long X 2-10mm wide X 0.5-5mm height. The pillows in Marsan et al are 25.4 mm long X 25.4mm wide X 4.5-5mm height. These are all within the applicants range set forth in claims 35 and 43. Refer to figure 1 in Zilg et al along with column 2, lines 10-56 and column 3, lines 63-65. Refer to figures 1-3 in Marsan et al along with page 3, lines 13-20, page 4, lines 8-18, page 5, lines 28-32, page 6, lines 26-38, page 13, lines 19-23 and claims 1 and 12. The primary references fail to disclose the specific void volume under pressure as recited in the claims (i.e. is silent as thereto). However, Marsan et al in claims 1 and 12, along with the sections referred to by the examiner, Marsan et al recognizes the fact one desires to maintain a large void volume under pressure in order to provide superior cleaning from he sheet. This is also the applicant's intent over the prior art as discussed on page 3, lines 21-35 of the specification. With respect to limitations of the perimeter and center portions, one of which contains pillows members and the other not containing pillow members Zilig et al shows, however so small, as discussed how it would be interpreted above in the 112 rejection, a perimeter portion to the left and right side of the sheet in the figure not having pillow members per

claims 27 and 29. A center portion is shown, however so small, in the figure, as discussed how it would be interpreted above in the 112 rejection, when looking at the direct center of the sheet not containing pillows.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to the primary references to form a cleaning sheet with the recited void volume under pressure motivated by the fact the more void volume the better at cleaning the sheet is. Marsan et al specifically provides motivation for maintaining high void volume under pressure in order to increase cleaning efficiency of the sheet. This is also the applicant's intent over the prior art as discussed on page 3, lines 21-35 of the specification.

8. Claims 36, 37, 44 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Zilg et al or Marsan et al as applied to claims 27-35 and 38-43 above, and further in view of Wong et al as presented in the last office action, mailed March 8, 2006.

The primary reference teaches the invention substantially as recited except for the cleaning handle and wiping of the above claims. See the 35 U.S.C. 102 rejection above.

Wong et al discloses to use a cleaning sheet with a handle and cleaning a surface there with in claims 31-39.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to the primary references to use a handle and clean a hard surface with the cleaning sheets, as taught by Wong et al, motivated by the fact Wong et al discloses this is known to be done with cleaning sheets and Marsan et al

discloses other types of cleaning sheets can be constructed from the pad thereof (page 8, lines 1-6).

Response to Arguments

9. Applicant's arguments filed June 8, 2006 have been fully considered but they are not persuasive. The applicant argues that the prior art fails to teach the perimeter and center portion, wherein one contains pillows and the other doesn't. The examiner has explained above how these terms were interpreted and therefore the claims fail to distinguish from the prior art. A "portion" of the perimeter and center in the prior art contains the recited limitations as explained in the rejections above. Since the applicant has not recited a degree of the perimeter and center "portion", one can look at just a portion thereof in the prior art as reading upon the claims. It is noted that independent claim 38 fails to contain any limitations as to a center or perimeter portion.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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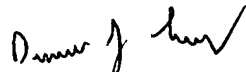
shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald Loney whose telephone number is (571) 272-1493. The examiner can normally be reached on Mon, Tues, Thurs and Fri. 8AM-4PM, flex schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJL:D.Loney
08/17/06


Donald Loney
Primary Examiner
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